

1 A bill to be entitled
2 An act relating to biosolids management; creating s.
3 403.08715, F.S.; providing legislative findings;
4 defining the term "biosolids"; requiring the
5 Department of Environmental Protection to adopt rules
6 for biosolids management to protect water quality;
7 requiring the department to initiate rulemaking by a
8 date certain; clarifying existing statutes are not
9 superseded by this act; providing that certain
10 ordinances, moratoriums, or regulations remain in
11 effect until they are repealed, expired, or upon the
12 effective date of rules adopted by the department;
13 providing an effective date.

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Section 403.08715, Florida Statutes, is created
18 to read:

19 403.08715 Biosolids Management.—

20 (1) LEGISLATIVE FINDINGS.—The Legislature finds it is in
21 the best interest of the state to:

22 (a) Regulate biosolids management to minimize the
23 migration of nutrients that impair waterbodies.

24 (b) Expedite implementation of the recommendations of the
25 Biosolids Technical Advisory Committee, which includes

26 permitting based on site-specific application conditions,
27 increased inspection frequencies, groundwater and surface water
28 monitoring protocols, and nutrient management research to
29 improve the management of biosolids and protect the state's
30 water resources and water quality.

31 (c) Expedite the implementation of biosolids processing
32 innovative technologies as a means to improve biosolids
33 management and protect water resources and water quality.

34 (2) DEFINITIONS.—As used in this section, the term
35 "biosolids" has the same meaning as in s. 373.4595(2).

36 (3) RULEMAKING.—

37 (a) The department shall adopt rules for biosolids
38 management to:

39 1. Permit the use of biosolids in a manner that minimizes
40 the migration of nutrients and that prevents impairment of
41 surface water and groundwater quality, including:

42 a. Site-specific land application rates of biosolids based
43 on soil characteristics, soil adsorption capacity, water table
44 characteristics, hydrogeology, site use, and distance to surface
45 water;

46 b. An evaluation of the percentage of water extractable
47 phosphorus in all biosolids to inform the appropriate
48 application rate; and

49 c. Criteria for low, medium, and high-risk sites that
50 guide application practices and required water quality

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51 monitoring.

52 2. Establish site specific groundwater and surface water
53 monitoring requirements.

54 (b) The department shall initiate rulemaking by August 1,
55 2019.

56 (4) APPLICABILITY.—

57 (a) Nothing herein shall be construed to conflict with or
58 supersede the provisions of ss. 373.4595 and 373.811.

59 (b) An ordinance, moratorium, or regulation adopted by a
60 municipality or county before February 1, 2019, relating to the
61 land application of Class B biosolids, shall remain in effect
62 until such time as the local government repeals or lets expire
63 the ordinance, moratorium, or regulation or until the effective
64 date of rules adopted by the department pursuant to subsection
65 (3).

66 Section 2. This act shall take effect July 1, 2019.